to Refuse to Recognize

Him as Governor.

Impeach Is Invested in

That Body.

SULZER'S PLAN IS

board. This is a trick to postpone action

The roll was then called on a motion of Mr. Hinman to reconsider the vote defeating his motion to postpone until this afternoon action on the impeachment resolution. The motion was lost-ayes, 49

Claim 80 Votes.

Six Assemblymen voted for postpone ment who were counted as sure for im-The leaders still expect eighty votes for impeachment.

Aaron Levy, the majority leader, said at 1:15 o'clock that the resolution would be adopted a little after 2 o'clock. He said that there were no defections from the anti-Sulzer lines and that the impeachment vote would be considerably larger than 76, the necessary materity.

Ingram and Kornobis, the two New York Assemblymen whose presence the whips want to be sure of before a vote is risked, had not then arrived.

Because of this imperative need of delay the Assembly let the speakers talk as long as they pleased. Harold Hinman, the Republican minority leader, argued that the Legislature must not engage in any unseemly scramble to impeach.

Mr. Cuvillier, Tammany Democrat, denounced the Governor, but professed sor row for him, and Louis D. Gibbs, Sulzer Democrat of The Bronx, said the Governor done nothing to merit impeachment and that the Legislature had no right to impeach for misconduct alleged to have taken place before Mr. Sulzer took office. You may call this proceeding govern

ment under the law," concluded Mr. Gibbs, "but I call it anarchy. If he would be a convenient, accommodating Governo for the Boss he would not be compelled to walk the plank. But he has refused all overtures from the Boss and this impeachment proceeding is the answer of the Boss.

Some of the Governor's friends are say ing that if he is impeached he will fight for a while on constitutional grounds. meanwhile trying to make peace with his accusers and that if he fails he intends to resign.

was resumed by Theodore Ward (Democrat), who was for the impeachment, and by Mark Elsner (Democrat), who said he did not champion the Governor, but was opposed to impeachment as unconstitutional.

Senator Schaap, a prominent Progres sive and Sulzer adherent, again urged the Constitution was ignored by the Legislature in instituting impeachment pr

The conduct of the Legislature on this declared, "in acting in such haste."

THE SESSION TO MIDNIGHT. Assembly Marks Time, Waiting for a 2 A. M. Train.

of the 102 Democratic members present to-night at the session which is likely to end with the impeachment of Gov. Sulzer the leaders were confident that they had more than the seventy-six votes that are

After, waiting all afternoon while laggard members were hurrying to Albany in response to peremptory telegrams and telephone summonses from their chiefs the Assembly finally got into action at

10:10 o'clock to-night. The Assembly chamber was filled by o'clock. Fifty women were among the Then the doors were closed and barred and braced on the inside by strong

of the Assembly and others who could prove that they had real business on the premises. The guards obeyed so zealously that for a while even the newspaper mer were kept out, though they had cards

It was not merely to prevent overcrowding by the public that this precaution of ed doors was taken. been rumors all afternoon that excited persons had made up their minds that the best way to help Gov. Sulzer was to start a riot in the Assembly chamber.

The Assemblymen's chairs filled slowly The public could wait and feed itself or rumors, but obviously the real actors knew just when they were expected. At 9:30 clock a momentary stir was caused by the advent of a gray helmeted policeman, who stood near the front door. Thereafter the door was left open. Other policemen were outside.

There was no sign in the demeanor the Assemblymen that anything serious was on hand. They chatted, read the papers, smoked, wore their hats if wished to do so, took things easily. At 10:10 o'clock Speaker Smith an nounced "the gentlemen in the gallery

will kindly stop smoking." Wondering members skedaddled to their places. The session had begun, but word had just there would be no vote until 2 o'clock when two straggling Assemblymen would get here from New northern border. The Democratic absentees from the roll

call at 10:30 o'clock were Brewster, Hearn, Kornobis, Ingram and Wilmott, The Progressive absentees were Jude and The Republican absentees were Adler, Allen, Brereton, Gillett, Hopkins, Horton, Jones, Knight, MacDonald, Machold. Pappert, Pembleton, Phillips. Richardson, J. A. Smith, Sullivan, Sweet, Vert and Yeomans.

The Democrate supposed to be on the train at 2 A. M. were Ingram and Kornobis of Kings county. It looked now as if virtually the full Democratic strength would be here to-night soone or later.

Hinman Protests Again.

Mr. Hinman, the Republican leader, arose for one last protest against the pressing of the impeachment resolution. He said everybody had been discomforted by the long wait and that the members who had stayed at home so long were

We are setting a precedent to-night for the impeachment of a Governor in this State. I still doubt if we have the power to take this action at this extraordinary

He quoted the constitutional provisions as to meetings of the Assembly and said that the present body was improperly convened. He wanted more time to study constitutional aspect of the question He insisted also that the Frawley report dealt only with the Governor's campaign contributions, not with Mr. Sulzer's conduct in the Governorship, and that even the charges as they stood were not enough

impeachment. Mr. Hinman quoted law reports and histories. In Mr. Lincoln's "Constitu-tional History of New York" he found an opinion that a Governor could be im-peached only for wilful misconduct in

"The Governor may be offered up as "but there must be no precipitate action such as is contemplated here to-night clerk in the District Attorney's ofGov. Sulzer Entering the Capitol



ment which has been offered here. No to convict him on the hearsay and court would accept charges so

ment there must be the form should be solemn and dignified. He argued that solemn and dignified. He argued that to a committee of the Assembly, not a mixed committee of Assemblymen and Senators, should be referred a matter so ALBANT, Aug. 12.-With all except five Deculiarly the Assembly's own

Noon Session Adjourned.

The Assembly was supposed to meet at noon to-day to consider the resolution impeaching the Governor, but from moment to moment the call was postponed until at 3:30 o'clock it was made known that everything was off until evening.

The delay represented an extraordinary effort by the party leaders to make sure that the impeaching resolution would be adopted when it came to a vote. The word went out that there must be eighty anti-Sulzer Democrats in the Assembly chamber before the issue could be risked. The necessary majority of the elected nembers is seventy-six, but the Tammany eaders insisted on at least four extra voters to insure victory in case a few of the supposed faithful ones proved faith-

Last night the men who could be sentees. These messages were peremptory. Nothing short of total physical disability could be accepted as an excuse.

In Kings county alone were eight Democratic Assemblymen who got this eage all, "We need you." The Empire State Express brought five or six New York Assemblymen, vacation camps in the Adirondacks supplied others.

When noses were counted at 2 o'clock this afternoon Mr. Levy found that seventyfive Assemblymen were in the capital and that enough others were reported on the way to insure the proper strength to-night. An hour later Speaker Smith an-nounced that the Assembly would be reconvened at 8:30 o'clock to-night

outside the Speaker's door. Passes signed by the Speaker had to be displayed before anybody could pass the gate in the main aisle of the Assembly chamber.

While Mr. Hinman was speaking it was learned that Senator James J. Frawley, chairman of the committee that accuses Sulzer of misconduct and demands his impeachment, had called on the Governor at the Peoples House to-night. There was no explanation of this un-expected visit. It was reported that it was related in some way to Mrs. Suizer's admission that it was she who signed the Governor's checks.

At midnight the debate was still in

progress with no sign of a vote before 2 o'clock. Mr. Cuvillier of New York denounced Gov. Sulzer and was hissed when he said the Governor had no one to blame but himself.

The Assemblymen were attentive as

man was acting from a purely political standpoint in opposing the impeachment resolution and was trying to make party

capital out of a grave situation.

"Gov. Sulzer is crucifying himself by his own acts," insisted Mr. Cuvillier.

Hisses greeted Mr. Cuvillier's declaration that "I, from the bottom of my heart, feel sorry for Gov. Sulzer, but he has no one to blame but himself."

of order made by Progressive Assembly-man Volk that the Legislature in special violated the Constitution in conidering the question of the Governor's steward of the Sedgley Boat Club achment when the subject had not He is partly paralyzed and can speak recommended by the Governor for only in monosyllables. That he has not when the subject had not

"The greatest enemy William Sulzer as is himself," continued Mr. Cuvillier. We are not impeaching Gov. Sulzer, to is impeaching himself by his own acts. It is behind his impeachment. He ickery is behind his impeachment. He ordeal. has is himself," continued Mr. Cuvillier.
"We are not impeaching Gov. Sulzer.
He is impeaching himself by his own acts. William Sulzer brought this all upon him-self and cannot charge that political trickery is behind his impeachment. He must be made to realize he is not above

Only 76 Votes Assured.

As Assemblyman Cuvillier proceeded it 123 Assemblymen present the Democratic Assembly leaders were sure of but 76 votes for the impeachment resolution, just

votes for the impeachment resolution, just the number required to pass it.

If they should lose one vote the resolution would be defeated.

Thus far the spokesmen were the same as last night. The next speaker, Louis D. Gibbs of The Bronx, eulogized William Sulzer and said: "I don't want to make a technical argument, but I ask in the name of God when the Constitution and the law of this State became a technical

rivolous and inconsequential evidence iduced by the Frawley committee," he said. "This proposal is so extraordinary, so sweeping, as to convince one that we are living in strange times. Nowhers else in the world would acts be tolerated that are proposed before our Legislature."

DELANEY TO INVESTIGATE. Efficiency Commissioner May Get Hennessy on the Stand.

ALBANY, Aug. 12 .- An investigation of the Highway Department will be begun to-morrow by Commissioner John H. De-laney of the Department of Efficiency and Economy, who declared bofore Gov. Sul-zer's special investigator John A. Hennessy on Monday that he would "have him

on the stand very soon."

Commissioner Delaney has designated Wood D. Loudon, chief accountant in his department, to make the investigation. Commissioner Delaney has the power to compel the attendance of witnesses, the production of books and to administer oaths. His investigation promises to be sweeping and will be directed against Hennessy, who was a confidential investigator in the Highway Department.

Changes made in highway repair con-tracts to which the Comptroller's office called attention gave Mr. Delaney the tip Last night the men who could be counted on to call for impeachment were only sixty-four. Telegrams went from Majority Leader Levy to each of the about 10 state of State roads.

Plushing Line Sold at Auction.

An echo of railroading as it was carried on forty years ago, when the "White Flyer" steamed out of Flushing at the rate of fifteen miles an hour bound for Hunter's Point on the steps of the Queens county court house yesterday, where Thomas Adams, acting for Sheriff George Emener, sold all the right, title and interest in the old Newtown and Flushing Railroad Company, which passed out many years ago, to satisfy a judgment for \$37,878.51 obtained by L Bradford Prince, for many years territorial Governor of New Mexico, and his sister, Bradford Prince, for many years territorial Governor of New Mexico, and his sister, Mrs. Aharlotte C. Henry, as executors of the estate of charlotte G. Prince, deceased Mortimer S. Brown, attorney for the Prince interests, was the only bidder, and he acquired the entire holdings for \$500.

Just before the sale opened Michael V. Ahearn, representing the Stuyvesant Realty Company, which holds land used by the Long Island and Pennsylvania railroad companies, enterted a protest against the sale. At present part of the North Shore division of the Long Island railroad runs over the old right of way of the Newtown and Flushing road. Law yer Ahearn said that the Stuyvesant Realty Company was owner of the land about to be sold and denied that the Prince family had any interest in the property. The protest was noted by the auctioneer and then the sale proceeded. The property sold consists of a strip of land 30 feet wide and 2,850 long on the Flushing meadows. The old Newtown and Flushing Railroad was first started in about 1870, but there was not traffic enough to keep it going and it failed.

SEPENDS MIGHT IN OURGESANDS

SPENDS NIGHT IN QUICKSANDS.

Youth Prope to His Head With His Hand and So Escapes Death.

PHILADELPHIA, Aug. 12 .- After spend Speaker refused to sustain a point bank of the Schuylkill River with his hand under his chin to keep his mouth and nose out of the water Peter Francis, aged 20, was rescued to-day by Edward Allison

When he was laid out on the bank he lapsed into unconsciousness from which he did not recover until he reached the hospital. Here the doctors worked over years and a final decision is expected to him for hours and finally he was able to collow the master's report him for hours and finally he was able to tell them that he was caught in the mire at 3 o'clock yesterday afternoon. He cannot talk because of his terrible torture, but can understand what is said to him and replies with nods of the head.

The police think he was walking along the river bank and fell into the mire.

THE SANDOVAL GOES AGROUND. Ganboat Which Figured in Spanish War Has 58 Aboard.

SENATOR CULBERSON IS ILL. Friends Fear the Worst and His TO APPEAL TO COURT

shortly after the adjournment of the regu lar session and has not been in attendance TEST LEGISLATURE at the extra session. His friends are not at all sanguine as to the outcome of his liness, which was only disclosed when the Senate Democratic leaders tried to ge Contention Is That No Right to into direct communication with him so as Detectives Then Arrest Two for home alone. to insure his presence when the final vote is taken on the tariff bill.

\$75,000 LENT TO SULLIVAN.

ALBANY, Aug. 12 .-- For the first time ince he became Governor Mr. Sulzer falled to meet the newspaper men to-day. Heretofore he has talked to them at 11 and 4 o'clock each day. He went to the Capitol earlier than

sual and stayed late. His proxy when reporters called was his secretary, Chester Platt. Mr. Platt brought word that the Governor, "by advice of counsel," was determined not to talk.

Platt said, "he will have nothing to say pending his trial. If he is not impeached he will make a very full statement which will be an amplification of his denial on Sunday of the Frawley committee accusations."

One comic adventure grimly enlivened Gov. Sulzer's day. It was a call from four Democratic Assemblymen who are accounted as among his sternest foes. Governor had invited Assemblymen Hinman. Schaap, Eisner and Gibbs to call on him. They opposed adoption of the Frawley report in the Assembly on Monday night. The Governor wanted to thank them and stiffen them for the rest of the fight. But his messenger bore this verbal invitation to the wrong men. McCue Was Puzzled.

As a result Assemblymen Marty McCue Jackson, Walker and Gillen, all obviously ouzzied, walked into the Governor's waiting room. A fifth who was mis-takenly summoned, Jacob Silverstein, sent word that nothing short of a written request would induce him to see the Gov-

When Mr. Sulzer heard that McCue and the others were outside he told a messenger to tell them that they hadn't bee So Mr. McCue led his flock away. Later Mr. Hinman and Mr. Schaap were welcomed by the Governor. Here was the spectacle of the Republican and the Progressive leader of the Assembly being summoned by the Governor and titular head of the Democratic party beause they were numbered among his defenders. He thanked them for their sup port in the debate of Monday night. Mr. Hinman replied frankly that he had opposed adopting the Frawley report rathe

from a sense of duty than because he particularly approved of the Governor. When Mr. Schaap appeared the Governor wanted to know how stood the chances of impeachment. "They'll crack the whip and get the

votes," the Progressive Assemblyman replied.

Two or three Assemblymen openly opposed to Gov. Sulzer also were called to his office to be told that the Assembly was violating the Constitution in trying to impeach him at an extraordinary ser sion not called for that purpose.

Gov. Sulser's Plan.

It was believed here to-day that if impeachment was voted the Governor would immediately try to have its legality tested by having a State appointee friendly to the Governor refuse to obey an order from Mr. Sulzer on the ground that Lieut-Gov. Glynn was acting Governor with full normal was acting Governor with full normal was acting Governor. The police wired to Toronto to make further inquiries concerning the man. His body was taken to the morgue and various articles that belonged to him were taken to the West Forty-second over the concerning the man. His in the hotel. A dictagraph was placed in the hotel. A dictagraph was placed in the hotel. A dictagraph was placed in the hotel and taken him off the streets three yours of these with its receiver in the other. In this second room Detectives Patrick with full powers. Mr. Sulzer would then appeal to the courts.

The opposition laughed at the report of this programme. They say no court has the power to review the Assembly's act of impeachment.

Detectives employed by John A. Henessy, Gov. Sulzer's investigator of State tion for the crime other than that Marten departments, cluttered the Capitol today. Majority Leader Levy of the Assembly, Speaker Alfred E. Smith, Senator Frawley and Senator Wagner and others of the impeaching party each had a shadow. Somebody seemed to be inter

ested in the movements of these men. Members of the Assembly who voted ast night for the adoption of the Frawley report received to-day postcards denouncing them in language both vulgar and profane. Some of the cards bore skull and crossbones. None of them was signed and the men who received them LYNCH WINS OVERWHELMINGLY. have no suspicion as to the source.

It was said that Gov. Sulzer has been planning a back fire in the shape of an investigation of the campaign contributions and expenditures of some of his fellow Democrats who have turned

brought a lot of Burns men to Albany to-They weren't the only detectives working in Mr. Sulzer's interest. Albany is running over with amateur "investigators," standing around in dark corners present convention.

BENEDICTINE MONKS WIN.

Their Liqueur is Protected by Court Decision.

NEW ORLEANS, Aug. 12.—The monopoly of the Benedictine monks of France in the manufacture of benedictine, the cordtal dear to epicures, was upheld to-day in a report to the Federal District Court by Special Master Richardson in the international sult of the Societe Anonyme la Distillerie de la Liqueur Benedictine l'Abbaye de Fecamp vs. Yochim Bros. of New Orleans. The the defendant from infringing upon the

mplainant's trade mark.

The special master recommended that perpetual injunction issue restraining the defendant from using on labels the name of "Compound Liqueur Benedictus" and "Compound Liqueur Supericure Bene-dictus" or any imitation of the complainant's trade mark or label, and from

follow the master's report.

ROB BORDEN MILK STORE.

Thieves Hold Up Boy in Charge Loot Cash Register.

Two men entered the Borden milk store at 207 East Broadway early last evening, held up the eighteen-year-old boy in charge, rifled the cash register and made their escape.

The boy was Charles Marino of 15 Web-

a technical argument, but I ask in the name of God when the Constitution and that a Governor could be impossive for wilful misconduct in Governor may be offered up as ficial lamb," said Mr. Hinman, ere must be no precipitate action as is contemplated here to-night, erk in the District Attorney's of-uld draw a better, more specific and draw a better, more specific and than the resolution of impossive for than the resolution of impossive for than the resolution of impossive for the fistory of the Naval Militia, is hard aground on a shoal four miles from Sacketts Harbor with Lieut. Walbridge and fifty-seven recsults aboard.

The boy was Charles Marino of 15 Webster avenue, The Bronx. He was alone in the store when two men came in a little aground on a shoal four miles from Sacketts Harbor with Lieut. Walbridge and fifty-seven recsults aboard.

The recruits were being given instruction and the boat was returning to Chaudined the took office. His argument was that precedent to have the first of the stream of the store when two men came in a little aground on a shoal four miles from Sacketts Harbor with Lieut. Walbridge and fifty-seven recsults aboard.

The boy was Charles Marino of 15 Webster avenue, The gunish-American war and is now at the disposal of the Naval Militia, is hard aground on a shoal four miles from muzzles of two revolvers. The robbers and fifty-seven recsults aboard.

The boy was Charles Marino of 15 Webster avenue, The Bronx. He was slote in the Span, is hard aground on a shoal four miles from muzzles of two revolvers. The robbers and fifty-seven recsults aboard.

The recruits were being given instruction and the boat was returning to Chaudine went through the till, which contained to the contained only the first of any strength of the Span, and the strength of the Span, and the strength of the Span, and the strength of the s

Vote May Be Lost on Tariff. WASHINGTON, Aug. 12 .- Disquieting re-

ports as to the physical condition of Senator Charles A. Culberson of Texas, who One of His Personal Appointees in a sanitarium in Connecticut, reached the Senate to-day. The Senator's physicians will allow no one, not even the Sen ate leaders, to communicate with him. Senator Culberson went to Atlantic City

Recording of Mortgages Shows H Borrowed From A. L. Erlanger.

A loan of \$75,000 from Abraham L Erlanger to Congressman Timothy D. Sullivan on December 21, 1909, came to light yesterday, when a mortgage for that amount, given by Sullivan to Erlanger on the Savoy Theatre in West Thirty-fourth street, and the Dewey Theatre in East Equipment street was recorded. The East Fourteenth street, was recorded. Th

terms of the mortgage were not disclosed.
William B. Eilison, one of the committee of Congressman Sullivan's property, "If the Governor is impeached," Mr. night that he knew there was such a mortgage, but that no intimation had bee given to him as counsel that the mortgage was to be recorded. He had no idea of circumstances under which the loan was

The Dewey and Savny theatre proper ties, given as security for the mortgage each are worth about \$600,000, and are only partly covered by mortgages. The mortgage was executed at about the time the City Theatre in East Fourteenth the City Theatre in East Fourteenth street was built by Congressman Sullivan

TORONTO MERCHANT IS MURDERED HERE

Continued from First Page

chance her friend might be the dead man. Mrs. Barrett told the police that Marten was an old friend and that when he came to the city he always stayed at her

Monday morning for his fall buying." she explained, "and came to my house buying and when he returned at six o'clock he invited me to go to the theatre side waiting to take him to call on a woman friend. He promised to be back within two hours. He did not return."

Mrs. Barrett said that Marten wore a large diamond ring. Search showed that

"He arrived here from Ttoronto or

not only was the ring gone but the man's pockets had been turned inside out and every article of value and every paper

police station. Detectives questioned the man who ran the rooming house in the hope of getting descriptions of the three persons who for the last week or so had spent much time the room where Marten was found

had been murdered for his jewelry and TORONTO, Ont. Aug. 12.-W. Grieve Martin conducted a millinery business at 7512 Carlton street and went to New York to buy millinery. He is supposed to have taken a good deal of money with him. He did a good business, his shop being off the main business thoroughfare and in a residential district. He appears

much is known of him.

I. T. U. Votes Not to Limit Officers to One Term of Two Years.

NASHVILLE, Tenn. Aug. 12.—President synch of the International Typographical inion was sustained in the annual ention to-day in a fight to limit vention to-day in a fight to limit the officers of the internatingal body to one term of two years. A letter was read from George L. Berry, president of the Allied Pressmen's Union, in which Berry showed plaur for not being asked to the

This caused the old matter of the Chicago pressmen's strike to be aired again. President Berry wrote that the pressmen's union was ready for a closer re-lationship between the two unions, and in discussing the Berry letter President Lynch said he had not invited Berry be-cause of his attack on the officers of the I. T. U. during the strike. The matter was finally disposed of authority being given for Berry to

visit the present convention. Delegates Beadle of Tacoma and Barker Spokane were floor leaders in the fight to put through the proposition to limit the officers to one term of two years. The vi-

To-morrow Providence, R. L. and Calgary, Alberta, will be nominated for the

SOUNDS CHANNELS TO CANAL. Survey Ship Hannibal Returns to

Bring New Sea Charts.

The United States Survey ship Hanfrom a six months' cruise in the Caribbean, has made soundings of all channels likely to be used by liners on the way to and from the Panama Canal and all West Indian ports, and has for the first time in seventy years accurately charted waters that will be used by many American steamships after the completion the Panama Canal.

a long steaming range. She had a motor beat that made soundings in spots that have not felt a lead for many years. The results of her cruise will be the rechart. ing of certain parts of the Caribbean.

New charts from the Hydrographic Of.
fice will show navigators where the chas.

a broker, was badly injured this evening nels and shoals are.

German Knitters Now Out. The committee of the general strike of was dislocated and he was cut about the nitters, reported last evening that 600 face, head and body. knitters reported last evening that 600 face, head and body. German knitters in Ridgewood went out. Kerr was driving yesterday. Most of the German knitters appeal. It is thought yesterday Most of the German knitters speed. are Socialists and the New York local of the Socialist party has opened headquarters at the Ridgewood Laber Lycsum.

IDICTAGRAPH TRAPS **ALLEGED SWINDLERS**

Police Listen to Men Accused Coney Island, on Monday afternoon of Trying to Defraud Insurance Company.

Charged With Cheating and Giving Bribe.

Two men who were accused of having a daring swimmer. This, he said, had tried to defraud a burglary insurance been a constant source of anxiety to her company and to bribe an adjuster emfamily. Three years ago she swim from ployed by the company to put their claim, the Parkway Baths at Brighton Beach to through were arrested late yesterday Ambrose Channel, a distance of eight afternoon in the Hotel Seville, at Twenty-miles. ninth street and Madison avenue, after No suicidal intention, according to Mr. accepting a roll of marked bills from the Wagoner, can possibly be inferred from the fact that a book entitled "The Valley some time while a dictagraph carried the of the Missing" was found in the girls entire conversation to a police stenog-rapher sitting in the next room.

The prisoners are Nathan Maler, 24

years old, a milliner living at 71 West 116th street, and Harry Baltimore, 39 years old, an insurance adjuster living at as a present. years old, an insurance adjuster from at 440 Riverside Drive. The complainant against them is Gerard Luisi, an adjuster for the Ocean Accident and Guarantee Corporation of 59 John street.

Luisi was the adjuster who made a raid with detectives on a "fence" in the Eismere Hotel in The Bronx on November 18 last and who after the

November 18 last and who, after "fence," Joseph Vogel, had killed ex-De-tective John Allen and a waiter and had wounded Detective Martin Fay and Luisi. raised himself from the floor, with six bullets in his body, and killed Vogel and the woman companion, who grabbed ogel's revolver from him as Vogel fell.

Reports Alleged Burglary.

Maier reported to the police of the Lenox avenue station on July 5 that his flat, on the third floor of the building at 71 West 116th street, had been entered by burglars while he and his wife were away and the burglars had taken \$700 worth of jewelry. Detectives investigated the complete and characterized it and the complete and characterized it. bearing the initials "W. G. M.," was on the floor. The man's hands were tied be-hind his back and the bonds were held taut by an iron pipe which had been used through him field a claim with the Ocean to twist the strings. A blackjack had Company, with which he carried a bur-been used on the man's face and head. glary insurance policy. In doing this he

The man's shoes were gone.

As the police were studying the situation Mrs. Barrett was begging Patrolman Ridell to tell her how she might trace her friend. He was giving her instructions glary. On July 3 he met Maler and Ballonger. The site however, will be more to the under the claim that the police as to the character of the burlittle longer. The slits, however, will be more to the under the police as to the character of the burlittle longer. The slits, however, will be more than the police as to the character of the burlittle longer. The slits, however, will be more than the police as to the character of the burlittle longer. The slits, however, will be more than the police as to the character of the burlittle longer. The slits, however, will be more than the police as to the character of the burlittle longer. The slits, however, will be more than the police as to the character of the burlittle longer. The slits, however, will be more than the police as to the character of the burlittle longer. The slits however, will be more than the police as to the character of the chicago Garment Makers Associated the chicago Garment Makers Associated the chicago Garment Makers as the final word of the Chicago Garment Makers Associated the chicago Garment Makers as the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the character of the burlitten than the police as to the charact when he saw several patrolmen running timore by appointment and, he says, told west on Fifty-seventh street and word them what he thought of the claim. He was soon brought to him that the body of a man had been found. He suggested to Mrs. Burrett that she go with him to the rooming house thinking that there was a little money on the side. His part, they rooming house thinking that there was a said, would be to get the claim through the invisible to the naked eye and the transparency will be oqaque because of ingeniously designed rows of flounces around the bottom of the garment. The slite is there; the texture is there, translucent; it is smart but it is modest This, say the designers, is what the change her friend much the better and word be considered. the insurance company and he would be of the tight fitting skirt, and when it is liberally taken care of.

"Sure, I like to make a little money whenever I can," Luisi says he replied, fell in with the scheme enthusiastically and accepted \$30 which, he says, Maier and accepted saw which, he says, stated of growing for his fall buying."

"and came to my house He went out to do his company. The company got the cohis company. The company got the cohis company and the latter advised him to look to the theatre. The says which, he says, stated a coat shirt, it buttons round instead of going over the head. This permits the height of the slit to depend upon the his company. The company got the cohis company of Deputy Commissioner look are to the theatre. The says which, he says stated as coat shirt, it buttons round instead of going over the head. This permits the height of the slit to depend upon the number of buttons left unbuttoned. It is devised for free action in the well known dance. o'clock he invited me to go to the theatre with him but said he had a friend out-

Luisi kept in touch with the men, but, according to his statements to them had a good deal of trouble getting his company to believe in the claim. He finally notified them that the thing had gene, through and made an appointment to meet them at 5 o'clock yesterday afternoon in the Saville.

So everything's all right?" Baltimore room. dead. They advanced no other explana-

"That's all right." Maler is quoted as the scuttle on the roof and were a to leave the premises with a quantity of the scuttle on the roof and were a to leave the premises with a quantity of the scuttle on the roof and were a subjective and fewelry when police. worth of stuff."

Luisi handed over the \$300, all in marked bills, to Maier. The latter, Luisi says, handed him back \$75 as the remainder of his share and then turned and gave Baltimore \$30 as his share.

The party of three broke up and at the basest kind of ingrative to leave the premises with a quantity surprised and arrested them. It surprises and arrested them. It should be a surprised and arrested them. It is placed by the premises with a quantity surprised and arrested them. It is placed by the premises with a quantity surprise and jewelry when poles are the premises with a quantity surprise and jewelry when poles are the premises with a quantity surprise and jewelry when poles are the premises with a quantity surprised and arrested them. It is the party to burglary and we examination. Friedman pleaded guilty.

The party of three broke up and at this point the detectives came in, arrested Maier and Baltimore, packed up the dictagraph and took the prisoners to the East Thirty-fifth street station, where finger prints were made and the two men. to have been a quiet man and not very

CENSURES CITY PAYMENT PLAN. on the straight relied an honest life.

Bulletin Says Debt Service Money

Goes for Short Term Notes. The city puts too much of its debt service money into paying short term notes which were issued for running expenses, says a bulletin of the Bureau of Municipal Research, out to-day.
In ten years only 53.5 per cent. of the \$150.250,162 appropriated in the 1904-1913

of the city debt" was used for payment of principal on the city's permanent debt. The other 46.5 per cent, or \$69.914.342, was for redemption of short term bonds issued for current operating expenses of the year previous to the respective appropriations. propriations.

"The actual city 'debt service' is large enough without this overstatement," states the bulletin, "and yet every year when the budget is voted Mayor or budget committee explains that the main cause of increase is in 'debt service' or 'for redemption and instalments of city debt.' without the explanation that a large per cent, of this charge is not for the actual debt at all."

In 1913 \$6,700,000 of the \$16,500,000 In 1913 \$6,700,000 of the \$16,500,000 appropriated for debt redemption charges went to pay for 1912's operating expenses—i. e., special revenue bonds.

This practice of putting operating expenses for the preceding year into the same item with charges for permanent that here here, in vegue for many years.

debt has been in vogue for many years. In the three budgets voted for by the In the three budgets voted for by the present administration \$20,071,515 for special revenue bonds has been put in as debt service charges. In the three corresponding years of the preceding administration, 1907-1909, the sum was \$25,192,500 for special revenue bonds. In some years more than half of the so-called charges for "redemntion and in the so-called charges for "redemntion" and the so-called charges for "redemntion" called charges for "redemption and stalments of city debt" was really meeting current expenses of the prece meeting current expenses of the preceding year. In 1909 this excess was \$1,172,000

IS PINNED UNDER RACING AUTO. The Hannibal is a naval collier and has Broker's Son Hits Pole in Fast Ride

-Car Turns Over. when the racing automobile which he wa driving in Broadway struck a telegraph pole and was overturned. Kerr was pinned under it. His right shoulder blade

It is thought that something went with the steering apparatus and wrong with the steering apparatus and caused the collision with the telegraph

FATHER ENDS BEACH MYSTELF!

Says Garments of Girl Missing . Coney Island Were Daughter's,

Henry Wagoner, a paper manufactured living at 112 Bay Twenty-ninth street Bensonhurst, identified last night the clothing left at the Kensington Baths, girl who went in bathing as the garmen of his daughter, Ruth Wagoner, a trained nurse at the Methodist Episcopal Hospit

Brooklyn. He said that he was afraid his daughter was drowned. Mr. Wagoner said that his daughter . turned with the family from a two wevacation on a houseboat at Sandy Hook last Saturday and that after working at

the hospital on Sunday she had started She evidently decided to go for a swim at Coney Island, and Mr. Wagoner be-lieves that she was seized with cramps when she was too far away from the baths to make her cries for help heard. Mr. Wagoner said that his daughter was

dressing room at the baths. He explained that a friend of the family from Chicago who has been spending her vacation of

The missing girl was 22 years old. She was 5 feet in height and weighed about 100 pounds. She had light hair and blue

DOCTOR ROBBED OF GEMS

Woman Delegate to London (ongress Victim of Thieves.

Special Cable Despatch to Tun LONDON Aug. 12.-Dr. von Heuman German woman delegate to the International Medical Congress, complained to-day to the Scotland Yard authorities of the loss of a jewel case containing gems valued at \$5,000 while travelling by trave

X-RAY SKIRTS STILL IN FAVOR But Transparency and Slits Will Re Invisible This Winter.

CHICAGO, Aug. 12 .- Skirts are going to be just as tight, just as transparent just as slit during the coming seaso as they are now. This is the final wor as they are now. This is the final word of the Chicago Garment Makers Associa-

lucent; it is smart but it is modest This, say the designers, is what the women want. They like the smartness tight it must be split to permit negotiating high curbs.

Green seems to be the favorite color

The tango skirt in this shade is built like a coat shirt, it buttons round instead or

Colored furs, it is stated, will be another feature of the winter garb. ROBS JUDGE WHO HELPED HIM

Youth Breaks Down When Benefactor Testifies Against Him. When Louis Friedman, 22 years was arraigned in the Yorkville court yesterday charged with

Giery and Charles Nett and grapher took their stations.

According to the detectives who listened, Baltimore and Maier greeted Luisi broke down and was led from the stationary and the stationary and the stationary and the stationary and the stationary are stationary as a stationary and the stationary and the stationary are stationary as a stati "So everything's all right?" Baltimore is alleged to have asked, in effect.
Luisi replied that he had done the best he could, but that all he could get the company to pay was \$300.
"That's all right," Maier is quoted as "That's all right," Maier is quoted as the scuttle on the roof and were about the scuttle on the roof and were about the scuttle on the premises with a quantity of the premises with a quantity of the premises with a quantity of the scuttle on the roof and were about the premises with a quantity of the premises with a quantity of the premises.

> day I heard he had been charged with breaking into t pany's safe and stealing \$500 1 tence suspended and once more pon the straight road. For a w that he had broken into

This was too much."

Magistrate Breen held Friedr

\$5,000 bail for the Grand Ji



And Cuticura Ointment. These go tle emollients do much to soot tender skins and dispel summer rashes, eczemas, prickly heat, itchings, chating, sunburn, bites and stings. For everyday use in promoting and maintaining skin and hair health among infants and children. Cuticura Soap and Cuticura Oint-

ment are most valuable. Kerr was driving his car at a fast